

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS**

MONICA HARTMAN

Case No. 4:24cv285

Plaintiff,

v.

SOUTHERN HILLS PROPERTY
GROUP

Defendant.

FIRST BANK

Garnishee.

WRIT OF GARNISHMENT

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS**

TO: ANY UNITED STATES MARSHAL, SHERIFF, CONSTABLE, OR AUTHORIZED PERSON OF THE STATE OF TEXAS OR THE AFORESAID COURT

TO: FIRST BANK
C/O: LEGAL REGISTERED AGENT BRANDON ANDERSON
4110 KELL BLVD. WICHITA FALLS, TX 76309
(Garnishee)

GREETING:

WHEREAS, IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS, (“Court”), in a certain cause wherein MONICA HARTMAN is Plaintiff-Garnishor and FIRST BANK is Garnishee, the Plaintiff is claiming an indebtedness against Defendant SOUTHERN HILLS PROPERTY GROUP (“Defendant”) on a Judgment entered by the Court in *Hartman v. Southern Hills Property Group*, No. 4:22-cv-00912-ALM (ECF No. 15) on February 28, 2024 (“Judgment”), in the amount of Twenty-Five Thousand Five

Hundred Thirty-Five Dollars and Ninety Cents (\$25,535.90), together with postjudgment interest and costs, and has applied for a WRIT OF GARNISHMENT against you;

THEREFORE, YOU ARE HEREBY COMMANDED, to be and appear before said Court at 10:00 a.m., on the Monday next following the expiration of twenty (20) days from the date of service hereof, then and there to answer upon oath what; if anything, you are indebted to the said Defendant and were, when this Writ was served upon you, and what effects, if any, of the said you have in your possession, and had when this Writ was served, and what other persons, if any, within your knowledge, are indebted to the said Defendant or have effects belonging to them in your possession.

YOU ARE FURTHER COMMANDED not to pay to Defendant any debt or to deliver to him any effects, pending further order of this court.

HEREIN FAIL NOT but make due answer as the law directs.

Given under my hand and seal of said Court, and office on the 15th day of May, 2024.

UNITED STATES DISTRICT COURT

Eastern District of Texas



David A. O'Toole
Clerk of Court (or Deputy)

NOTICE TO DEFENDANT OF WRIT OF GARNISHMENT

Note: This notice is to be served on the Defendant only after this Writ of Garnishment has been served on the Garnishee.

To: SOUTHERN HILLS PROPERTY GROUP

YOU ARE HEREBY NOTIFIED THAT CERTAIN PROPERTIES ALLEGED TO BE OWNED BY YOU HAVE BEEN GARNISHED. IF YOU CLAIM ANY RIGHTS IN SUCH PROPERTY, YOU ARE ADVISED: YOU HAVE A RIGHT TO REGAIN POSSESSION OF THE PROPERTY BY FILING A REPLEVY BOND. YOU HAVE A RIGHT TO SEEK TO REGAIN POSSESSION OF THE PROPERTY BY FILING WITH THE COURT A MOTION TO DISSOLVE THIS WRIT.

Your money or property has been frozen or seized (“**garnished**”) because MONICA HARTMAN (the “**Garnishor**”) has filed a garnishment proceeding. That means they are trying to get your money or property from FIRST BANK (the “**Garnishee**”), the company or person who has it, to pay a debt you owe. / *Su dinero o propiedad le han sido inmovilizados o incautados (“embargados”) porque MONICA HARTMAN (el “Embargante”), ha entablado ante tribunales un auto procesal de embargo con la intención de obtener su dinero o propiedad de FIRST BANK (el “Embargado”), que es la compañía o persona física que los tiene, y como pago de lo que usted le adeuda.*

If you are an individual (not a company), your money or property may be protected (“exempt”) from garnishment under federal or state law. Under Texas Rule of Civil Procedure 679b, the Garnishor must send you in the next few days a “Notice of Protected Property Rights” approved by the Texas Supreme Court. Read that notice carefully for more information on what property can be protected and how to get your protected money or property back. You can ask the court to get your money or property back by turning in (“filing”) the “Protected Property Claim Form” that will be sent with the Notice of Protected Property Rights. / *Si usted es una persona física (y no una compañía), su dinero o propiedad pudieran estar protegidos (“eximidos”) de ser embargados de acuerdo a lo dispuesto en las leyes federales o estatales. Bajo la Norma de Derecho Procesal Civil Número 679b, el Embargante debe enviarle en los próximos días una “Notificación Sobre Derechos de Propiedad Protegida” aprobada por el Tribunal Supremo de Justicia. Lea con cuidado esta notificación para que obtenga mayor información sobre qué dinero y propiedades están protegidos y cómo recuperarlos. Puede solicitar que se le regresen sus propiedades y dinero que están protegidos entregando (“presentando”) ante el tribunal el “Formulario de Reclamo de Propiedad Protegida” que le será enviado junto con la “Notificación Sobre Derechos de Propiedad Protegida”.*

You may also file a “motion to dissolve” or “motion to modify” this writ of garnishment with the court because your money or property is exempt from garnishment. You can also get your money back if you file a “replevy bond,” which is cash or other security in an amount set by the Court. / *Usted también pudiera presentar por escrito una “petición de disolución” o “petición de modificación” de este auto procesal de embargo, ya que su dinero y propiedad están exentos de dicho embargo. También puede recuperar su dinero si presenta ante tribunales una “fianza*

reivindicatoria”, la cual es una garantía en efectivo o con fiador en una cantidad impuesta por el tribunal.

You can find out more about exemptions and the garnishment process by visiting www.texaslawhelp.org/exempt-property. / *Obtenga mayor información sobre las exenciones y el proceso judicial de embargo, visitando el sitio www.texaslawhelp.org/exempt-property.*

You are encouraged to get a lawyer to help you. **For information on free and low-cost legal services**, visit www.texascourts.gov/programs-services/legal-aid or call the legal aid offices that serve your area: Texas Rio Grande Legal Aid at (888) 988-9996, Lone Star Legal Aid at (800) 733-8394, and Legal Aid of Northwest Texas at (888) 529-5277. You can also call the State Bar of Texas at (800) 252-9690. / *Se le recomienda que consiga a un abogado que le ayude. Para información sobre cómo obtener servicios de asesoría legal gratuitos o a un bajo costo, visite el sitio www.texascourts.gov/programs-services/legal-aid o llame a la oficina de asistencia legal que presta servicios en su área: Texas Rio Grande Legal Aid al (888) 988-9996; Lone Star Legal Aid al (800) 733-8394; y Legal Aid of Northwest Texas at (888) 529-5277. También puede llamar al Servicio de Información de Abogados en el Colegio de Abogados de Texas al (800) 252-9690.*

Given under my hand and seal of said Court, and office on the 15th day of May, 2024.

UNITED STATES DISTRICT COURT

Eastern District of Texas



David A. O'Toole
Clerk of Court (or Deputy)